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Attorney Docket No. 3061/22

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Toru SHIRASAKI

Serial No. 09/752,688

Filed: January 3, 2001

For: CONTAINER FOR FRAMED PELLICLE

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:  
: Group Art Unit: 1772  
:  
: Examiner: Marc A. Patterson  
:  
: Confirmation No.: 9745  
:

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER  
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicant hereby appeals to the Board from the decision of the Primary Examiner, mailed October 29, 2004, finally rejecting claims 8, 9, 11, 13 and 14.

The item(s) checked below are appropriate:

1. STATUS OF APPLICANT

This application is on behalf of

☒ other than a small entity.  
☐ a small entity

2. FEE FOR FILING NOTICE OF APPEAL

Pursuant to 37 C.F.R. 1.17(e) the fee for filing the Notice of Appeal is:

☐ small entity \$250.00  
☒ other than a small entity \$500.00

Notice of Appeal fee due \$500.00

LAW OFFICES  
DENNISON, SCHULTZ, DOUGHERTY & MACDONALD  
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ALEXANDRIA, VIRGINIA 22314-2700  
703 837-9600

01/28/2005 EAREGAY1 00000011 09752688  
01 FC:1401 500.00 OP

3. EXTENSION OF TERM

NOTE: The time periods set forth in 37 C.F.R. 1.191 are subject to the provision of § 1.136 for patent applications. 37 C.F.R. 1.191(d). (But see 37 C.F.R. 1.645 for extension of time in interference proceedings and 37 C.F.R. 1.550(c) for extension of time in reexamination proceedings).

(Complete (a) or (b) as applicable)

The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136 apply.

(a) ☐ Applicant petitions for an extension of time under 37 C.F.R. 1.136

(Fees: 37 C.F.R. 1.17(a)-(d) for the total number of months checked below:

	<u>Extension Months</u>	<u>Fee for other than small entity</u>	<u>Fee for small entity</u>
<input type="checkbox"/>	one month	\$120.00	\$60.00
<input type="checkbox"/>	two months	\$450.00	\$225.00
<input type="checkbox"/>	three months	\$1020.00	\$510.00
<input type="checkbox"/>	fourth month	\$1590.00	\$795.00
<input type="checkbox"/>	fifth month	\$2160.00	\$1080.00

Fee \$ \_\_\_\_\_

**If an additional extension of time is required, please consider this a petition therefore.**

**(check and complete the next item, if applicable)**

☐ An extension for \_\_\_\_\_ month has already been secured. The fee paid therefor of \$\_\_\_\_\_ is deducted from the total fee due for the total months of extension now requested.  
Extension fee due with this request \$ \_\_\_\_\_

(b) ☒ Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

4. TOTAL FEE DUE

The total fee due is:

Notice of Appeal Fee \$500.00

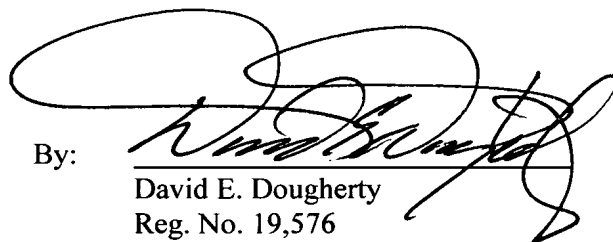
Extension Fee (if any) \$\_\_\_\_\_

**TOTAL FEE DUE: \$500.00**

5. FEE PAYMENT

X A payment of \$500.00 is made by credit card. A Credit Card Payment Form (PTO-2038) is attached hereto. The Commissioner is hereby authorized to charge payment of any additional filing fees required under 37 CFR 1.16 or any patent application processing fees under 37 CFR 1.17, or credit any over payment to the credit card account shown on the attached Credit Card Payment Form. Any fees not accepted by the credit card shown on the Form PTO-2038 may be charged to Deposit Account 04-0753.

Respectfully submitted,

By:   
David E. Dougherty  
Reg. No. 19,576

January 27, 2005  
Date

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